

# UNITE HERE Fund Administrators

An Affiliate of Amalgamated Life

UNITE HERE Fund Administrators, Inc.

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August 24, 2007

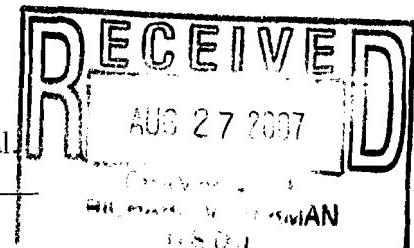
## BY HAND

Honorable Richard M. Berman  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

# MEMO ENDORSED

Re: Trustees of the UNITE HERE National Health Fund, et al.  
- v. - Bag Specialist, Inc. - 07 Civ. 6188 (RMB)

Dear Judge Berman:



We represent the plaintiffs in the above-referenced action to collect delinquent contributions pursuant to Section 515 of ERISA. For the following reasons, we are writing to respectfully request a brief adjournment of the initial pretrial conference currently scheduled in the action for August 28, 2007 at 9:15 A.M. This is the first such adjournment request.

The action was commenced on July 3, 2007, and the summons and complaint was served on defendant on July 11, 2007. To date, defendant has not filed an answer, moved or otherwise responded to the summons and complaint.

We filed plaintiffs' First Amended Complaint with the Court on August 15, 2007. To date, despite diligent efforts, plaintiffs have been unable to effect service of the First Amended Complaint.

Given that plaintiffs have yet to effect service of the First Amended Complaint and defendant has failed to appear in the action, plaintiffs respectfully request that the Court adjourn the conference for thirty (30) days to permit service of the First Amended Complaint and to permit Defendant to file an answer, move or otherwise respond.

The Court's considerations are appreciated.

CONFERENCE ADJOURNED UNTIL  
9/28/07 AT 9:15 A.M.

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED

Respectfully submitted,

DOC #:

DATE FILED:

David C. Sapp (DS5781)

SO ORDERED:

Date: 8/27/07

*Richard M. Berman*  
Richard M. Berman, U.S.D.J.